

REMARKS

This Amendment is submitted in reply to the non-final Office Action mailed on January 25, 2008. No fee is due in connection with this Amendment. The Director is authorized to charge any fees that may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 117682-002 on the account statement.

Claims 1-2, 4-6, 11-12, 14-16 and 18-27 are pending in this application. Claims 3, 7-10, 13, 17 and 28-30 were previously canceled. In the Office Action, the specification is objected to; Claim 25 is rejected under 35 U.S.C. §112, first paragraph; and Claims 1-2, 4-6, 11-12, 14-16 and 18-27 are rejected under 35 U.S.C. §112, second paragraph. In response, Claim 25 has been amended. The amendment does not add new matter. In view of the amendment and/or for at least the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, the specification is objected to and Claim 25 is rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The Patent Office asserts that Claim 25 recites an organic acid content of up to and including 5% by weight. In response, Applicants have amended Claim 25 to recite, in part, an organic peroxide in an amount between 0.1 and 4.5% by weight. The amendment is supported in the specification, for example, at page 11, lines 1-2. Based on at least these noted reasons, Applicants believe that the specification and Claim 25 fully complies with 35 U.S.C. §112, first paragraph.

Accordingly, Applicants respectfully request that objection to the specification and rejection of Claim 25 under 35 U.S.C. §112, first paragraph, be withdrawn.

In the Office Action, Claims 1-2, 4-6, 11-12, 14-16 and 18-27 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Patent Office asserts that it is unclear whether the phrase “co-polyester polymer with adipic acid” refers to 1) a two component blend/mixture with a copolyester resin as the first component and adipic acid as the second distinct component or 2) a single polyester resin wherein the copolyester itself contains chain units derived from adipic acid.

Applicants respectfully disagree and submit that the skilled artisan understands the scope of the phrase “co-polyester polymer with adipic acid.” For example, Applicants submit that a “co-polyester polymer with adipic acid” is commonly understood by the skilled artisan as a single copolyester resin wherein the copolyester itself contains chain units derived from adipic acid. If the first definition were intended to be used, Applicants would have described this component as a blend or mixture of co-polyester polymer and adipic acid, which would be the standard way to describe such a component. Instead, nowhere do Applicants describe the co-polyester polymer with adipic acid as a blended or mixed component. As a result, the skilled artisan clearly understands the metes and bounds of the phrase “co-polyester polymer and adipic acid” in view of their common knowledge and the specification. Based on at least these noted reasons, Applicants believe that Claims 1-2, 4-6, 11-12, 14-16 and 18-27 fully comply with 35 U.S.C. §112, second paragraph.

Accordingly, Applicants respectfully request that the rejection of Claims 1-2, 4-6, 11-12, 14-16 and 18-27 under 35 U.S.C. §112, second paragraph, be withdrawn.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same. In the event there remains any impediment to allowance of the claims that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Respectfully submitted,

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